

H. B. No. 6, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law in this State, and declaring an emergency,"

And find the same correctly engrossed.
SANFORD, Acting Chairman.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 4, A bill to be entitled "An Act to amend Chapter 2 of Title 98, Revised Civil Statutes of Texas, 1911, by adding thereto Article 6057a, providing that, in addition to other methods provided in said chapter for the removal of officers, they may be removed by quo warranto proceedings brought by the Attorney General upon direction of the Governor; making the provisions of said chapter applicable to proceedings hereunder except where in conflict; providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049 of such statutes; providing that the suspended officer shall receive the salary, compensation or fees until final judgment removing him, and that such salary, fees or compensation collected by the temporary officer shall be paid to the suspended officer, and that during appeal from a judgment removing an officer, such salaries, fees and compensation shall not be received by him unless he give a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary of compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; fixing jurisdiction and venue of such suits; providing that such officer may not be removed under this act for failure to enforce misdemeanor statutes, excepting laws pertaining to gambling or prostitution, and declaring an emergency."

And find the same correctly engrossed.
SANFORD, Acting Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 1, Inviting Hon. H. J. Latcher Stark to address the Legislature.

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:45 o'clock a. m., presented same to the Governor for his approval.

HENDRICKS, Chairman.

Committee Room,
Austin, Texas, April 23, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 2, Providing for survey of prison system.

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:45 o'clock a. m., presented to the Governor for his approval.

HENDRICKS, Chairman.

SEVENTH DAY.

(Tuesday, April 24, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Chitwood.
Amisler.	Coffee.
Arnold.	Collins.
Atkinson.	Covey.
Avis.	Cowen.
Baker of Milam.	Crawford.
Baker of Orange.	Culp.
Barker.	Davis.
Barrett.	DeBerry.
Beasley.	Dinkle.
Bell.	Dodd.
Blount.	Downs.
Bonham.	Driggers.
Bryant.	Duffey.
Burmeister.	Dunlap.
Cable.	Dunn.
Carpenter	Durham.
of Matagorda.	Edwards.
Carson.	Fields.
Carter of Hays.	Finlay.

Fugler.	Patman.
Gipson.	Patterson.
Greer.	Perdue.
Hardin of Erath.	Pinkston.
Hardin	Pool.
of Kaufman.	Pope.
Harrington.	Potter.
Harris.	Price.
Henderson	Purl.
of Marion.	Quaid.
Henderson	Quinn.
of McLennan.	Rice.
Hendricks.	Robinson.
Houston.	Rountree.
Irwin.	Rowland.
Jacks.	Russell
Jennings.	of Callahan.
Jones.	Russell of Trinity.
Kemble.	Sackett.
Lackey.	Sanford.
Laird.	Satterwhite.
Lane.	Shearer.
LeMaster.	Shires.
Lewis.	Simpson.
Loftin.	Sparkman.
Looney.	Stell.
McBride.	Stevens.
McDaniel.	Stewart of Jasper.
McDonald.	Stewart of Reeves.
McFarlane.	Stiernberg.
McNatt.	Storey.
Martin.	Strickland.
Mathes.	Stroder.
Maxwell.	Sweet.
Melson.	Teer.
Merritt.	Thompson.
Miller.	Thrasher.
Montgomery.	Turner.
Moore.	Vaughan.
Morgan	Wallace.
of Liberty.	Westbrook.
Morgan	Wessels.
of Robertson.	Wilmans.
Pate.	Young.

Absent.

Carter of Coke.	Green.
Dielmann.	Williamson.

Absent—Excused.

Baldwin.	Lamb.
Bird.	LeSturgeon.
Bobbitt.	Lusk.
Carpenter	McKean.
of Dallas.	Merriman.
Davenport.	Rogers.
Faubion.	Smith.
Frnka.	Stewart
Howeth.	of Edwards.
Hughes.	Wells.
Hull.	Wilson.
Johnson.	Winfree.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Bobbitt for yesterday and today, on motion of Mr. Arnold.

Mr. Wells for today, on motion of Mr. Montgomery.

Mr. McKean for today, on motion of Mr. Carter of Hays.

Mr. Bird for today and remainder of week, on motion of Mrs. Wilmans.

Mr. McFarlane for yesterday, on motion of Mr. Stell.

Mr. Lamb for today, Wednesday and Thursday, on motion of Mr. Russell of Trinity.

Mr. LeSturgeon for today, on motion of Mr. Simpson.

Mr. Faubion for today, on motion of Mr. Teer.

Mr. Carpenter of Dallas for today, on motion of Mr. Culp.

Mr. Smith for today, on motion of Mr. Young.

Mr. Hull and Mr. Johnson for today, on motion of Mr. Jacks.

Mr. Winfree for today, on motion of Mr. Potter.

The following members were granted leaves of absence on account of sickness:

Mr. Rogers for today, on motion of Mr. Burmeister.

Mr. Hughes for today and remainder of week, on motion of Mr. Henderson of McLennan.

Mr. Wilson for today, on motion of Mr. Patterson.

Mr. Howeth for today, on motion of Mr. Lane.

The following members were granted leaves of absence on account of important committee work:

Messrs. Bonham, Laird, Baldwin and Henderson of Marion, on motion of Mr. Rountree.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Harris:

H. B. No. 49, A bill to be entitled "An Act to amend Section 2, Chapter 23, Acts of the Thirty-sixth Legislature,

Second Called Session, limiting the amount of funds to be set apart for free text books, and declaring an emergency."

Referred to Committee on Education.

By Mr. Patman:

H. B. No. 50, A bill to be entitled "An Act relative to procedure in criminal cases; giving counsel for the prosecution in the criminal cases the right to argue the fact that defendant failed to testify in his own behalf, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Pope:

H. B. No. 51, A bill to be entitled "An Act amending Section 3 and Section 5 of an act passed at the Regular Session of the Thirty-sixth Legislature of the State of Texas, entitled 'An Act to provide for the purchase and distribution by the State of free text books to the public school children of the State of Texas,' etc., being Senate bill No. 118, Chapter 29 of the Regular Session Laws, so as to prevent the unlawful expenditure of the State Text Book Fund and inhibit the unlawful purchase of unnecessary free text books, repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Education.

By Mr. Young and Mr. Culp:

H. B. No. 52, A bill to be entitled "An Act to amend Article 7380 of Chapter 2, Title 126, of the Revised Civil Statutes of Texas of 1911, relating to the levy of an occupation tax based upon gross receipts of individuals, firms, companies, corporations and associations engaged in this State in the business of a wholesale or retail dealer in pistols; extending the provisions of said article so as to include those who are engaged in the sale, rental or lease of such firearms, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

TO REQUEST SENATE TO RETURN
SENATE CONCURRENT RESOLUTION
NO. 5 FOR FURTHER
CONSIDERATION.

Mr. Culp offered the following resolution:

Resolved, That the House recall Senate concurrent resolution No. 5 for

further consideration on the part of the House.

The resolution was read second time.

Yeas and nays were demanded, and the resolution was lost by the following vote:

Yeas—28.

Atkinson.	Looney.
Baker of Milam.	Patman.
Barker.	Quaid.
Bonham.	Rice.
Cable.	Rowland.
Carter of Hays.	Satterwhite.
Culp.	Simpson.
Davis.	Sparkman.
Dodd.	Stevens.
Downs.	Stewart of Jasper.
Durham.	Wallace.
Fields.	Westbrook.
Jones.	Young.

Nays—75.

Abney.	McDonald.
Amsler.	McFarlane.
Arnold.	McNatt.
Avis.	Mathes.
Baker of Orange.	Melson.
Barrett.	Merritt.
Beasley.	Miller.
Bell.	Montgomery.
Burmeister.	Moore.
Carpenter	Pate.
of Matagorda.	Patterson.
Carson.	Perdue.
Chitwood.	Pinkston.
Covey.	Pool.
Cowen.	Pope.
Crawford.	Purl.
DeBerry.	Quinn.
Driggers.	Robinson.
Duffey.	Rountree.
Dunn.	Russell
Fugler.	of Callahan.
Gipson.	Russell of Trinity.
Greer.	Sackett.
Hardin of Erath.	Sanford.
Hardin	Shearer.
of Kaufman.	Shires.
Harrington.	Stell.
Harris.	Stiernberg.
Henderson	Storey.
of McLennan.	Strickland.
Houston.	Stroder.
Jacks.	Sweet.
Jennings.	Teer.
Kemble.	Thompson.
Lackey.	Thrasher.
Lane.	Turner.
LeMaster.	Vaughan.
Lewis.	Wessels.
McBride.	Wilmans.

Present—Not Voting.

Mr. Speaker.	Coffee.
Bryant.	Finlay.

Absent.

Blount.	McDaniel.
Carter of Coke.	Martin.
Collins.	Maxwell.
Dielmann.	Morgan
Dinkle.	of Liberty.
Dunlap.	Morgan
Edwards.	of Robertson.
Green.	Potter.
Hendricks.	Price.
Irwin.	Stewart of Reeves.
Loftin.	Williamson.

Absent—Excused.

Baldwin.	Laird.
Bird.	Lamb.
Bobbitt.	LeSturgeon.
Carpenter	Lusk.
of Dallas.	McKean.
Davenport.	Merriman.
Faubion.	Rogers.
Frnka.	Smith.
Henderson	Stewart
of Marion.	of Edwards.
Howeth.	Wells.
Hughes.	Wilson.
Hull.	Winfree.
Johnson.	

Mr. Burmeister moved to reconsider the vote by which the resolution was lost, and to table the motion to reconsider.

The motion to table prevailed.

EXTENDING THANKS FOR TRIP TO HOUSTON AND GALVESTON.

Mr. Teer offered the following resolution:

Whereas, The Chamber of Commerce of the City of Houston, through the Harris county Senator and Representatives, extended to the members of this Legislature an invitation to be their guests on a visit to the City of Houston and the San Jacinto battlegrounds, and

Whereas, This Legislature by resolution accepted the invitation and left the City of Austin on Friday night and journeyed to the fair city of Houston, where the Chamber of Commerce and citizens of Houston arranged and carried out a delightful two-day program of entertainment for the members of the Legislature, with every comfort, courtesy and hospitality that could have been extended; and

Whereas, The members of the Legislature had the pleasure and privilege of a ride on the ship "Galvez" down the great Houston ship channel from the city of Houston to the historic battlegrounds of San Jacinto and participated

in the magnificent, patriotic program where Governor Neff and Governor Trimble thrilled twenty-five thousand of their hearers with a magnificent patriotic address; and

Whereas, The people of Houston, through their Chamber of Commerce and honored Representatives of this House, proved themselves the most pleasing and delightful hosts; and

Whereas, The Honorable Lynch Davidson, Mayor Oscar Holcomb, John S. Bonner, Robert Weir of the city of Houston invited the members of this body to be their guests on a trip to the city of Galveston, where the Chamber of Commerce of Galveston entertained the party with a delightful sea food lunch and a delightful boat ride on Galveston Bay; therefore, be it

Resolved, That this House express our sincere appreciation in hearty thanks to the Chambers of Commerce of the cities of Houston and Galveston for their magnificent entertainment and unexcelled hospitality. Be it further

Resolved, That we express our thanks especially to the following gentlemen who were untiring in their efforts for our comfort and pleasure while on our visit to the great, imperial city of Houston: Honorable Charles Murphy, Frank Cowan, Virgil Arnold, J. C. Winfree, F. W. Turner, J. P. Rogers, Lynch Davidson, Oscar Holcomb, Robert Weir, John S. Bonner, Jake Wolters, W. C. Munn, John Darrouzet, president and officials of the Houston Chamber of Commerce, W. A. Wilson, C. S. Holland, W. B. Cleveland, F. L. Clements, R. S. Sterling, H. A. Haine, G. C. Russell and the officials of the Southern Pacific Railway and the Pullman Company.

Signed—Teer, Lackey.

The resolution was read second time.

Mr. Culp offered the following amendment to the resolution:

Amend the resolution by adding "the city of Houston and the Sons of the Republic of Texas."

The amendment was adopted.

The resolution as amended was then adopted.

ADDRESS BY HON. JOHN L. DARROUZET.

On motion of Mr. Burmeister, Hon. John L. Darrouzet was invited to address the House.

In accordance with the above action, the Speaker announced the appointment

of the following committee to escort Colonel Darrouzet to the Speaker's stand: Messrs. Burmeister, Purl and Shearer.

The committee having performed their duty, Speaker Seagler presented Mr. Burmeister, who in turn presented Colonel Darrouzet.

Colonel Darrouzet then addressed the House.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 24, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 9, Endorsing the stand taken by the Texas Railroad Commission in opposing the Interstate Commerce Commission's plan of consolidating the railroads of the United States into a few systems.

S. J. R. No. 1, In memory of Hon. Thomas Mitchell Campbell, a great Governor of the State of Texas.

The Senate has passed

S. B. No. 7, A bill to be entitled "An Act making appropriation to pay salaries of judges and the support of the judicial department of the State government for the two years, beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

RELATING TO RAILWAY CONSOLIDATION.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 9, Relating to consolidation of railroads.

Whereas, The Congress of the United States has undertaken in the Transportation Act of 1920 to authorize the consolidation of the railroads of the continental United States into a limited number of systems; and

Whereas, Under the provisions of this said act, the Interstate Commerce Commission is now conducting hearings with a view to preparing such a plan of consolidation; and

Whereas, A member of the Interstate Commerce Commission is now sitting in

such a hearing in the city of Fort Worth; and

Whereas, The Railroad Commission of Texas, through Commissioner Splawn, has appeared at said hearing; therefore, be it

Resolved, That the Legislature of Texas does approve and endorse the stand taken by the Texas Railroad Commission as stated in the testimony of Commissioner Splawn before the Interstate Commerce Commission at Fort Worth, in which he opposed the Interstate Commerce Commission's plan of consolidating the railroads of the United States into a few systems. And for the reasons stated by Commissioner Splawn we call upon the Texas delegation in Congress to use all their influence to repeal that part of the Transportation Act of 1920 which would authorize the consolidation of parallel and competing railroad systems. We further endorse this stand for the economical routing of tonnage from the North and Northwest through the Gulf ports.

Resolved further, That a copy of this resolution be sent to each of the Representatives in Congress and United States Senators from Texas.

The resolution was read second time.

Mr. Pope offered the following amendment to the resolution:

Amend the resolution by striking out all after the resolving clause and insert the following:

Whereas, The Congress of the United States has undertaken in the Transportation Act of 1920 to authorize the consolidation of the railroads of the continental United States into a limited number of systems; and

Whereas, Under the provisions of this said act the Interstate Commerce Commission is now conducting hearings with a view to preparing such a plan of consolidation; and

Whereas, A member of the Interstate Commerce Commission is now sitting in such a hearing in the city of Fort Worth; and

Whereas, The Railroad Commission of Texas, through Commissioner Splawn, has appeared at said hearing; therefore, be it

Resolved, That the Legislature of Texas does approve and endorse the stand taken by the Texas Railroad Commission, as stated in the testimony of Commissioner Splawn, before the Interstate Commerce Commission at Fort Worth, in

which the Commission opposed the Interstate Commerce Commission's plan of consolidating the railroads of the United States into a few systems for the following reasons:

1. Texas is unalterably opposed to any Federal consolidation of railroads in this State and to the consolidation of parallel and competing lines.

2. If there is to be any consolidation at all it should be gradual and partial, and not a wholesale and arbitrary set-up of a few all inclusive systems.

3. Real competition should be preserved. Such a consolidation as the proposed merger of the Fort Worth and Denver City with the Santa Fe—two parallel and competing lines—or of the Frisco, the Katy and the Cotton Belt—three parallel and competing lines—is contrary to the interests of Texas and of the country.

4. It is undesirable to group together a number of lines all of which are weak financially.

5. Traffic originating in and adjacent to the Missouri River Valley should have through routes to the Gulf ports, and not be diverted to a longer and more expensive haul to the congested Eastern ports.

Therefore, we call upon the Texas delegation in Congress to use all their influence to repeal that part of the Transportation Act of 1920 which would authorize the consolidation of parallel and competing railroad systems, or that would nullify the Constitution and laws of the State of Texas. We further endorse their stand for the economical routing of tonnage from the North and Northwest through the Gulf ports.

Resolved further, That a copy of this resolution be sent to each of the Representatives in Congress and United States Senators from Texas.

The amendment was adopted.

Question recurring on resolution as amended, it was adopted.

HOUSE BILL NO. 5 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 5, A bill to be entitled "An Act making appropriation to pay salaries of judges, and the support of the Judicial Department of the State government for the two years beginning

September 1, 1923, and ending August 31, 1925."

The bill was read second time.

On motion of Mr. Quaid, the bill was set as a special order for 10 o'clock a. m. tomorrow.

SENATE BILL ON FIRST READING.

The following Senate bill, received from the Senate today, was laid before the House, read first time, and referred to the appropriate committee as follows:

Senate bill No. 7, to the Committee on Appropriations.

EMPLOYEE OF THE HOUSE.

The Speaker announced the appointment of the following page:

Homer Thornberry.

RECESS.

On motion of Mr. Quaid, the House, at 11:20 o'clock a. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

HOUSE BILL NO. 11 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 11, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other officials for service rendered in collecting such taxes; further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature as amended by Section 1 of Chapter 64 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature; amending Articles 7688, 7689, 7691, 7692, 7696, 7699; repealing Article 7687 of the Revised Civil Statutes of the State of Texas of 1911, and Section 3, Chapter 147, of the

General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature as amended by Section 2, Chapter 64, of the General Laws of the State of Texas, passed by the Second Called Session of the Thirty-sixth Legislature; adding to Chapter 13 of Title 126 of the Revised Statutes of Texas of 1911 a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes; repealing all laws in conflict with the provisions of this act, and declaring an emergency."

The bill having been read second time, on last Thursday, with the following amendment by Mr. Abney pending:

Amend House bill No. 11 by striking out all of Section 5, on page 6.

Question recurring on the pending amendment, it was lost.

Mr. Edwards offered the following amendment to the bill:

Amend House bill No. 11 by inserting the following after Section 2, page 3, and numbering it Section 2a:

"Upon the completion of said delinquent tax record by any county in this State the commissioners court may cause the same to be published in some newspaper published in the county for two consecutive weeks, but if no newspaper is published in the county such list may be published in a newspaper outside the county, to be designated by the commissioners court, by contract duly entered into, and a publisher's fee of 25 cents shall be taxed against such tract or parcel of land so advertised, which fee, when collected, shall be paid into the county treasury; and the commissioners court of said county shall not allow for said publication a greater amount than 25 cents for each tract of land so advertised; and such publication and any other publications in a newspaper provided for in this act may be proved by affidavit of the printer of the newspaper in which the publication was made, his foreman or principal clerk, annexed to a copy of this publication, specifying the times when and the paper in which the publication was made; provided, that all corrections made in said record, under this article, be noted in the minutes of the commissioners court, and shall be certified by the county clerk to the Comptroller, who shall note the same upon his delinquent tax record; provided, that in the event such delinquent tax record be not pub-

lished correctly in accordance with the copy furnished such newspaper, then no compensation shall be allowed for such publication.

Signed—Edwards, Moore.

Mr. Edwards offered the following amendment to the amendment:

Amend the amendment by inserting "in their discretion" before the word "cause," in line 4.

The amendment to the amendment was adopted.

Mr. Bonham offered the following amendment to the amendment:

Amend the amendment by inserting at the close of amendment the following: "but failure to so publish such list shall be no defense to a suit for taxes due."

The amendment was adopted.

Question recurring on the amendment as amended, yeas and nays were demanded.

The amendment as amended was then adopted by the following vote:

Yeas—58.

Amsler.	Lackey.
Baker of Milam.	Laird.
Barrett.	Lane.
Beasley.	Lewis.
Bell.	McNatt.
Carpenter	Mathes.
of Matagorda.	Maxwell.
Carson.	Melson.
Carter of Hays.	Miller.
Chitwood.	Montgomery.
Coffee.	Moore.
Covey.	Pinkston.
Davenport.	Potter.
DeBerry.	Rice.
Dinkle.	Robinson.
Driggers.	Russell
Dunlap.	of Callahan.
Dunn.	Russell of Trinity.
Edwards.	Sanford.
Fields.	Satterwhite.
Finlay.	Shires.
Fugler.	Sparkman.
Green.	Stell.
Greer.	Stevens.
Hardin of Erath.	Storey.
Hardin	Sweet.
of Kaufman.	Thrasher.
Harrington.	Westbrook.
Harris.	Wessels.
Hendricks.	Young.

Nays—47.

Abney.	Barker.
Arnold.	Bonham.
Atkinson.	Bryant.
Avis.	Burmeister.
Baker of Orange.	Cable.

Cowen.	Looney.
Crawford.	McBride.
Davis.	Martin.
Dodd.	Pate.
Downs.	Patman.
Duffey.	Patterson.
Durham.	Perdue.
Gipson.	Pool.
Henderson	Quaid.
of Marion.	Quinn.
Henderson	Rowland.
of McLennan.	Shearer.
Houston.	Simpson.
Irwin.	Stewart of Jasper.
Jacks.	Strickland.
Jennings.	Stroder.
Jones.	Teer.
Kemble.	Thompson.
LeMaster.	Turner.

Absent.

Blount.	Morgan
Carter of Coke.	of Robertson.
Collins.	Pope.
Culp.	Price.
Dielmann.	Purl.
Loftin.	Rountree.
McDaniel.	Sackett.
McDonald.	Stewart of Reeves.
McFarlane.	Stiernberg.
Merritt.	Vaughan.
Morgan	Wallace.
of Liberty.	Williamson.
	Wilmans.

Absent—Excused.

Baldwin.	LeSturgeon.
Bird.	Lusk.
Bobbitt.	McKean.
Carpenter	Merriman.
of Dallas.	Rogers.
Faubion.	Smith.
Frnka.	Stewart
Howeth.	of Edwards.
Hughes.	Wells.
Hull.	Wilson.
Johnson.	Winfree.
Lamb.	

Mr. Montgomery offered the following amendment to the bill:

Amend House bill No. 11, page 10, line 9, after the word "attorney," by inserting the following: "at such compensation not to exceed 15 per cent of amount of taxes owing, such compensation to be taxed as a part of the costs."

Amend House bill No. 11, page 10, line 16, after the word "section," by adding the following: "Provided, when a separate suit is filed by a city or school district, no fee shall be allowed the county or district attorney in the event a city, town or school district, at its discretion, employs an attorney."

Amendments were severally adopted.

Mr. Gipson offered the following amendment to the bill:

Amend House bill No. 11 by adding at the end of Section 4 the following:

In the event any of the land thus sold to the State is not redeemed within the time prescribed by this act, the sheriff shall sell the same at public outcry to the highest bidder for cash at the principal entrance to the court house in the county wherein the land lies, after giving notice of sale in the manner now prescribed for the sale of real estate under execution, provided when notice is given by posting notices, one of the said notices shall be posted in a conspicuous place upon the land to be sold.

Said notice shall contain a legal description of the land to be sold; the date of its purchase by the State; the price for which the land was sold to the State; that it will be sold at public outcry to the highest bidder for cash, date and place of sale.

All sales contemplated herein shall be made in the manner prescribed for the sale of real estate under execution except that they must be made between the hours of 2 o'clock p. m. and 4 o'clock p. m., and the sheriff is hereby authorized, and it is hereby made his duty, to reject any and all bids for said land when in his judgment the amount bid is insufficient or inadequate, and in event said bid or bids are rejected the land shall be readvertised and offered for sale as provided for herein, but the acceptance by the sheriff of the bid shall be conclusive and binding on the question of the sufficiency of the bid, and no action shall be sustained in any court of this State to set aside said sale on the grounds of the insufficiency of the amount bid and accepted, but nothing herein shall be construed as prohibiting the State acting through the county attorney of the county wherein the land lies or its Attorney General from instituting an action to set aside the said sale on the grounds of fraud or collusion between the officer making the sale and the purchaser. The sheriff shall send to the State Treasurer, after deducting the amount of the county tax, and interest and penalty of the county tax, which he shall pay to the county treasurer. The sheriff, in behalf of the State, shall execute a deed conveying title to said property when sold and paid for.

The amendment was adopted.

Mr. Culp offered the following amendment to the bill:

Amend House bill No. 11, page 4, line 12, by striking out "1908" and insert "1912."

Mr. Purl offered the following substitute for the amendment:

Amend the bill by striking out "1908" and substituting "1900."

Question recurring on the substitute, yeas and nays were demanded.

The substitute was lost by the following vote:

Yeas—39.

Abney.	Henderson
Atkinson.	of McLennan.
Baker of Orange.	Jacks.
Barker.	Lackey.
Bonham.	McFarlane.
Carson.	Martin.
Coffee.	Morgan
Collins.	of Liberty.
Covey.	Pool.
Davis.	Price.
Dinkle.	Purl.
Dodd.	Quinn.
Driggers.	Rowland.
Dunn.	Sparkman.
Finlay.	Stell.
Fugler.	Stewart of Jasper.
Green.	Strickland.
Greer.	Stroder.
Hardin of Erath.	Thompson.
Hardin	Wessels.
of Kaufman.	

Nays—61.

Amsler.	Lane.
Arnold.	LeMaster.
Avis.	Looney.
Baker of Milam.	McBride.
Barrett.	McDonald.
Beasley.	McNatt.
Bell.	Mathes.
Bryant.	Maxwell.
Cable.	Melson.
Carpenter	Miller.
of Matagorda.	Montgomery.
Carter of Hays.	Pate.
Chitwood.	Patman.
Cowen.	Perdue.
Crawford.	Pinkston.
Culp.	Pope.
DeBerry.	Potter.
Downs.	Quaid.
Duffey.	Rice.
Dunlap.	Robinson.
Durham.	Russell
Fields.	of Callahan.
Gipson.	Russell of Trinity.
Harrington.	Sanford.
Harris.	Satterwhite.
Hendricks.	Shearer.
Houston.	Simpson.
Jennings.	Stevens.
Jones.	Sweet.

Teer.
Thrasher.
Wallace.

Westbrook.
Young.

Present—Not Voting.

Mr. Speaker. Stiernberg.

Absent.

Blount.	Moore.
Burmeister.	Morgan
Carter of Coke.	of Robertson.
Dielmann.	Patterson.
Edwards.	Rountree.
Henderson	Sackett.
of Marion.	Stewart of Reeves.
Irwin.	Storey.
Kemble.	Turner.
Lewis.	Vaughan.
Loftin.	Williamson.
McDaniel.	Wilmans.
Merritt.	

Absent—Excused.

Baldwin.	Lamb.
Bird.	LeStourgeon.
Bobbitt.	Lusk.
Carpenter	McKean.
of Dallas.	Merriman.
Davenport.	Rogers.
Faubion.	Shires.
Frnka.	Smith.
Howeth.	Stewart
Hughes.	of Edwards.
Hull.	Wells.
Johnson.	Wilson.
Laird.	Winfree.

Question then recurring on the amendment by Mr. Culp, it was lost.

Mr. Purl moved to reconsider the vote by which the amendment was lost and to table the motion to reconsider.

The motion to table prevailed.

Mr. Patman offered the following amendment to the bill:

Amend House bill No. 11, page 8, by striking out of Section 6 everything after the word "office," in line 2, page 8, down to and including the word "attorney," line 25, page 8.

Mr. Greer offered the following substitute for the amendment:

Amend House bill No. 11, page 8, by striking out the word "and," in line 10, and all thereafter to the end of line 14.

Mr. Bonham moved the previous question on the pending amendment, substitute and the bill, and the motion was duly seconded.

Question recurring on the motion for the previous question, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—59.

Amsler.	Lane.
Arnold.	LeMaster.
Atkinson.	Lewis.
Avis.	McBride.
Baker of Orange.	McDonald.
Barker.	Martin.
Barrett.	Melson.
Bonham.	Miller.
Burmeister.	Montgomery.
Carter of Hays.	Moore.
Cowen.	Morgan
Culp.	of Robertson.
Dinkle.	Pate.
Driggers.	Perdue.
Duffey.	Pope.
Dunn.	Potter.
Durham.	Price.
Fields.	Quaid.
Finlay.	Rice.
Fugler.	Robinson.
Gipson.	Rowland.
Harrington.	Sackett.
Henderson	Sanford.
of McLennan.	Satterwhite.
Hendricks.	Shearer.
Houston.	Shires.
Irwin.	Sparkman.
Jennings.	Storey.
Jones.	Sweet.
Lackey.	Young.

Nays—43.

Abney.	Harris.
Baker of Milam.	Looney.
Beasley.	McFarlane.
Bell.	McNatt.
Bryant.	Maxwell.
Cable.	Patman.
Carpenter	Pinkston.
of Matagorda.	Pool.
Carson.	Purl.
Chitwood.	Quinn.
Collins.	Russell of Trinity.
Covey.	Simpson.
Davenport.	Stell.
Davis.	Stevens.
DeBerry.	Stewart of Jasper.
Dodd.	Stiernberg.
Downs.	Strickland.
Green.	Stroder.
Greer.	Teer.
Hardin of Erath.	Thompson.
Hardin	Thrasher.
of Kaufman.	Wessels.

Present—Not Voting.

Mr. Speaker.	Patterson.
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Absent.

Blount.	Dielmann.
Carter of Coke.	Dunlap.
Coffee.	Edwards.
Crawford.	Jacks.

Johnson.	Russell
Kemble.	of Callahan.
Loftin.	Stewart of Reeves.
McDaniel.	Turner.
Mathes.	Vaughan.
Merritt.	Wallace.
Morgan	Westbrook.
of Liberty.	Williamson.
Rountree.	Wilmons.

Absent—Excused.

Baldwin.	Lamb.
Bird.	LeSturgeon.
Bobbitt.	Lusk.
Carpenter	McKean.
of Dallas.	Merriman.
Faubion.	Rogers.
Frnka.	Smith.
Henderson	Stewart
of Marion.	of Edwards.
Howeth.	Wells.
Hughes.	Wilson.
Hull.	Winfree.
Laird.	

Question first recurring on the substitute, yeas and nays were demanded.

The substitute was lost by the following vote:

Yeas—4.

Arnold.	Morgan
Greer.	of Liberty.
	Stroder.

Nays—100.

Abney.	Driggers.
Amsler.	Duffey.
Atkinson.	Dunlap.
Avis.	Dunn.
Baker of Milam.	Durham.
Baker of Orange.	Fields.
Barker.	Finlay.
Barrett.	Fugler.
Beasley.	Gipson.
Bell.	Green.
Bonham.	Hardin of Erath.
Bryant.	Hardin
Burmeister.	of Kaufman.
Cable.	Harrington.
Carpenter	Harris.
of Matagorda.	Henderson
Carter of Hays.	of McLennan.
Chitwood.	Hendricks.
Coffee.	Houston.
Collins.	Irwin.
Covey.	Jennings.
Cowen.	Jones.
Crawford.	Kemble.
Culp.	Lackey.
Davenport.	Lane.
Davis.	LeMaster.
DeBerry.	Lewis.
Dinkle.	Looney.
Dodd.	McBride.
Downs.	McFarlane.

Martin.	Russell of Trinity.
Mathes.	Sackett.
Maxwell.	Sanford.
Melson.	Satterwhite.
Miller.	Shearer.
Montgomery.	Shires.
Moore.	Simpson.
Morgan	Sparkman.
of Robertson.	Stell.
Pate.	Stevens.
Patman.	Stewart of Jasper.
Perdue.	Stewart of Reeves.
Pinkston.	Stiernberg.
Pool.	Storey.
Pope.	Strickland.
Potter.	Sweet.
Price.	Teer.
Purl.	Thompson.
Quaid.	Thrasher.
Rice.	Turner.
Robinson.	Westbrook.
Russell	Wessels.
of Callahan.	Young.

Present—Not Voting.

Mr. Speaker. Quinn.

Absent.

Blount.	McNatt.
Carson.	Merritt.
Carter of Coke.	Patterson.
Dielmann.	Rountree.
Edwards.	Rowland.
Jacks.	Smith.
Johnson.	Vaughan.
Loftin.	Wallace.
McDaniel.	Williamson.
McDonald.	Wilmans.

Absent—Excused.

Baldwin.	Laird.
Bird.	Lamb.
Bobbitt.	LeSturgeon.
Carpenter	Lusk.
of Dallas.	McKean.
Faubion.	Merriman.
Frnka.	Rogers.
Henderson	Stewart
of Marion.	of Edwards.
Howeth.	Wells.
Hughes.	Wilson.
Hull.	Winfree.

Question then recurring on the amendment by Mr. Patman, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—43.

Amsler.	Barrett.
Arnold.	Bryant.
Atkinson.	Cable.
Baker of Milam.	Covey.
Barker.	Crawford.

Culp.	Pope.
Davenport.	Purl.
Davis.	Russell
Dodd.	of Callahan.
Downs.	Russell of Trinity.
Duffey.	Sanford.
Finlay.	Shires.
Greer.	Stell.
Hardin of Erath.	Stevens.
Hardin	Stewart of Jasper.
of Kaufman.	Stiernberg.
Harris.	Storey.
Looney.	Strickland.
McFarlane.	Sweet.
Martin.	Thompson.
Patman.	Thrasher.
Pinkston.	Westbrook.
Pool.	

Nays—61.

Abney.	Lane.
Avis.	LeMaster.
Baker of Orange.	Lewis.
Beasley.	McBride.
Bell.	Mathes.
Bonham.	Melson.
Carpenter	Miller.
of Matagorda.	Montgomery.
Carter of Hays.	Moore.
Chitwood.	Morgan
Coffee.	of Liberty.
Collins.	Morgan
Cowen.	of Robertson.
DeBerry.	Pate.
Dinkle.	Perdue.
Driggers.	Potter.
Dunn.	Price.
Durham.	Quaid.
Fields.	Rice.
Fugler.	Robinson.
Gipson.	Rowland.
Green.	Sackett.
Harrington.	Satterwhite.
Henderson	Shearer.
of McLennan.	Simpson.
Hendricks.	Sparkman.
Houston.	Stewart of Reeves.
Irwin.	Stroder.
Jennings.	Teer.
Jones.	Turner.
Kemble.	Wessels.
Lackey.	Young.

Present—Not Voting.

Quinn.

Absent.

Blount.	Loftin.
Burmeister.	McDaniel.
Carson.	McDonald.
Carter of Coke.	McNatt.
Dielmann.	Maxwell.
Dunlap.	Merritt.
Edwards.	Patterson.
Jacks.	Rountree.
Johnson.	Smith.

Vaughan.
Wallace.

Williamson.
Wilmans.

Absent—Excused.

Baldwin.
Bird.
Bobbitt.
Carpenter
of Dallas.
Faubion.
Frnka.
Henderson
of Marion.
Howeth.
Hughes.
Hull.

Laird.
Lamb.
LeStourgeon.
Lusk.
McKean.
Merriman.
Rogers.
Stewart
of Edwards.
Wells.
Wilson.
Winfree.

Question next recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 11 was then passed to engrossment by the following vote:

Yeas—79.

Abney.	LeMaster.
Amsler.	Lewis.
Avis.	McBride.
Baker of Orange.	McDonald.
Beasley.	McFarlane.
Bell.	Mathes.
Bonham.	Melson.
Bryant.	Miller.
Burmeister.	Montgomery.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Liberty.
Carter of Hays.	Morgan
Chitwood.	of Robertson.
Coffee.	Pate.
Collins.	Perdue.
Cowen.	Pool.
Crawford.	Pope.
Culp.	Potter.
Davenport.	Price.
DeBerry.	Quaid.
Dinkle.	Rice.
Dodd.	Robinson.
Driggers.	Rowland.
Duffey.	Russell
Dunlap.	of Callahan.
Dunn.	Russell of Trinity.
Durham.	Sackett.
Fields.	Satterwhite.
Gipson.	Shearer.
Green.	Shires.
Hardin of Erath.	Simpson.
Harrington.	Sparkman.
Henderson	Stewart of Reeves.
of McLennan.	Stiernberg.
Hendricks.	Strickland.
Houston.	Teer.
Irwin.	Thrasher.
Jones.	Turner.
Kemble.	Westbrook.
Lackey.	Wessels.
Lane.	Young.

Nays—27.

Baker of Milam.	Martin.
Barker.	Patman.
Barrett.	Pinkston.
Cable.	Purl.
Covey.	Quinn.
Davis.	Sanford.
Downs.	Stell.
Finlay.	Stevens.
Fugler.	Stewart of Jasper.
Greer.	Storey.
Hardin	Stroder.
of Kaufman.	Sweet.
Harris.	Thompson.
Jennings.	Wallace.
Looney.	

Absent.

Arnold.	McDaniel.
Atkinson.	McNatt.
Blount.	Maxwell.
Carter of Coke.	Merritt.
Dielmann.	Patterson.
Edwards.	Rountree.
Jacks.	Vaughan.
Johnson.	Williamson.
Loftin.	Wilmans.

Absent—Excused.

Baldwin.	Lamb.
Bird.	LeStourgeon.
Bobbitt.	Lusk.
Carpenter	McKean.
of Dallas.	Merriman.
Faubion.	Rogers.
Frnka.	Smith.
Henderson	Stewart
of Marion.	of Edwards.
Howeth.	Wells.
Hughes.	Wilson.
Hull.	Winfree.
Laird.	

MOTION TO TAKE UP HOUSE BILL NO. 11.

Mr. Bonham moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 11 be placed on its third reading and final passage.

The motion was lost by the following vote, not receiving the necessary four-fifths votes:

Yeas—77.

Mr. Speaker.	Bonham.
Abney.	Burmeister.
Amsler.	Carson.
Arnold.	Carter of Hays.
Avis.	Chitwood.
Baker of Orange.	Coffee.
Barrett.	Collins.
Beasley.	Cowen.
Bell.	Crawford.

Culp.	Morgan
DeBerry.	of Robertson.
Dinkle.	Pate.
Dodd.	Patterson.
Driggers.	Perdue.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Quaid.
Durham.	Quinn.
Fields.	Rice.
Gipson.	Robinson.
Green.	Rowland.
Hardin of Erath.	Russell
Harrington.	of Callahan.
Hendricks.	Russell of Trinity.
Houston.	Sackett.
Irwin.	Sanford.
Jones.	Satterwhite.
Kemble.	Shearer.
Lackey.	Shires.
Lane.	Simpson.
LeMaster.	Sparkman.
Lewis.	Stewart of Reeves.
Looney.	Strickland.
McBride.	Teer.
McDonald.	Thrasher.
Melson.	Turner.
Montgomery.	Westbrook.
Moore.	Wessels.
Morgan	Young.
of Liberty.	

Nays—30.

Atkinson.	Jennings.
Baker of Milam.	McFarlane.
Barker.	Martin.
Bryant.	Mathes.
Cable.	Patman.
Covey.	Pinkston.
Davenport.	Purl.
Davis.	Stell.
Downs.	Stevens.
Finlay.	Stewart of Jasper.
Fugler.	Stiernberg.
Greer.	Storey.
Hardin	Stroder.
of Kaufman.	Sweet.
Henderson	Thompson.
of McLennan.	Wallace.

Absent.

Blount.	Hull.
Carpenter	Jacks.
of Matagorda.	Johnson.
Carter of Coke.	Loftin.
Dielmann.	McDaniel.
Edwards.	McNatt.
Harris.	Maxwell.
Howeth.	Merritt.
Hughes.	Miller.

Pool.	Vaughan.
Price.	Williamson.
Rountree.	Wilmans.
Absent—Excused.	
Baldwin.	LeSturgeon.
Bird.	Lusk.
Bobbitt.	McKean.
Carpenter	Merriman.
of Dallas.	Rogers.
Faubion.	Smith.
Frnka.	Stewart
Henderson	of Edwards.
of Marion.	Wells.
Laird.	Wilson.
Lamb.	Winfree.

RELATING TO DISPLAY OF PICTURES OF DAVIS MOUNTAINS.

Mr. Patman offered the following resolution:

Whereas, W. W. Stewart, Representative from Reeves county, has one hundred slides showing the beauty and wonders of the Davis Mountains, in West Texas; therefore, be it

Resolved, That Mr. Stewart be invited by the House to exhibit these pictures in the House of Representatives at 8 o'clock Tuesday, May 1.

Signed—Patman, Fugler, Pope, Lewis, Quaid.

The resolution was read second time, and was adopted.

ADJOURNMENT.

On motion of Mr. Quaid, the House, at 4:15 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees have today filed favorable reports on bills as follows:

Appropriations—Senate bill No. 18.
Liquor Traffic—House bill No. 34.

The following committee has filed unfavorable reports on bills as follows:

Revenue and Taxation—House bills Nos. 36 and 18.

In Memory of Ex-Governor Campbell

The Speaker laid before the House, for consideration at this time, the following resolution:

S. J. R. No. 1. In memory of Hon. Thomas Mitchell Campbell, a great Governor of the State of Texas:

Whereas, The first day of April, 1923, marked the close of the earthly life of the Hon. Thomas Mitchell Campbell, who was Governor of Texas for two consecutive terms; and

Whereas, He rendered his State and fellow men faithful and exalted services; therefore, as a memorial of the affection and esteem of the people of Texas for their distinguished public servant, be it

Resolved by the Legislature of the State of Texas:

First. Born in Texas in 1856, his boyhood and youth covered the most heroic and the saddest period in the history of the Southland. The experience gave him an unalterable hatred of unfair privileges and oppression, as well as a passionate and unquenchable love for his State and her people. No man surpassed him in devotion to the traditions and ideals of the South, of Washington and Jefferson, of Davis and Reagan, of Lee and Jackson.

Second. The friend of Hogg in boyhood, of Ramsey in youth, and the neighbor and friend of Reagan in mature manhood, Campbell's character combined an indomitable will and a fine courage like that of Hogg, and a penetrating vision and sound, practical, upright judgment like that of Ramsey, with a wide sympathy for his fellows and an exalted fidelity to duty like that which immortalized Reagan.

Third. The administration of Governor Campbell was marked by much constructive legislation of enduring value. Once convinced that legislation was required in promotion of the general good, he became its enthusiastic and ardent and well-nigh irresistible champion.

With unflagging energy he caused the criminal laws to be executed, not only in the communities wherein the laws were popular, but throughout the State. He advocated legislation imposing adequate and deterrent penalties for breaches of the laws most commonly violated. His example inspired the officers of the State to fidelity and fearlessness in the performance of duty.

He was ever mindful of the true interest of every one who labors and toils, recalling the time when he worked with his own hands. The cause of labor was advanced during his term to a degree never excelled in the history of an American State.

He regarded it as part of his obligation to conduct the government of the commonwealth not only with efficiency but with economy. How well he succeeded was attested by the lowest ad valorem rate for State taxes in the entire history of Texas. Had he not possessed the traits of the great man of business, such achievement would not have been possible.

Fourth. No memorial of Governor Campbell's life would be complete without mention of the source of his strength and power, viz: a sincere and confident faith in Him whom he humbly strove to emulate. Without that inspiration, a life so abounding with love for others, and animated by such courage as meets even death as conqueror, cannot be explained. Such a life could not be more fittingly closed than with the final summons on the anniversary of the resurrection of Him who came "not to be ministered unto, but to minister."

Fifth. That these resolutions be recorded in the Journal of each house on pages reserved for the purpose, and be printed in the session acts, and that a copy be forwarded to the widow of the deceased.

FAIRCHILD,
DAVIS,
MURPHY.

The resolution was read second time.

Mr. Durham moved that the resolution be adopted by a rising vote.

The motion prevailed and the resolution was adopted unanimously.